

Applicant : Svetomir N. Markovic
Serial No. : 09/187,385
Filed : November 6, 1998
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Attorney's Docket No.: 07039-119001

REMARKS

Claims 8, 12, 18, 21, 22, 26, 27, 30-32, 35-38, and 41-56 were pending. Claims 8, 12, 18, 21, 22, 26, 27, 31, 32, 35, 38, and 41-56 were rejected and are canceled herein without prejudice. Claims 30, 36, and 37 were objected to, and are amended herein to incorporate the language of former independent claim 27. No new matter has been added.

In light of these amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of claims 30, 36, and 37.

Telephone Conference

Applicant's agent thanks Examiner Holleran for the courtesy of a telephone conference on January 31, 2005, in which she clarified the status of claim 30. Specifically, Examiner Holleran stated that claim 30 should have been objected to along with claims 36 and 37.

Rejection under 35 U.S.C. § 112

The Examiner rejected claims 41-56 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 41-56 have been canceled herein. Thus, this rejection is moot.

Rejections under 35 U.S.C. § 103

The Examiner rejected claims 8, 12, 22, and 26 under 35 U.S.C. § 103(a) as being unpatentable over the Edwards *et al.* reference (*J. Clin. Invest.* 75:1908-1913, 1985) in view of U.S. Patent No. 6,063,373 (the '373 patent). The Examiner also rejected claims 21 and 26 under 35 U.S.C. § 103(a) as being unpatentable over the Edwards *et al.* reference in view of the '373 patent and further in view of the Brittenden *et al.* reference (*Cancer* 77:1226-1243, 1996). In addition, the Examiner rejected claims 27, 31, 32, 35, and 38 under 35 U.S.C. § 103(a) as being unpatentable over the Edwards *et al.* reference in view of the Nichols *et al.* reference (*Clin. Exp. Immunol.* 94:4-10, 1993).

Claims 8, 12, 21, 22, 26, 27, 31, 32, 35, and 38 have been canceled herein. Thus, these rejections are moot.

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Claim Objections

The Examiner objected to claims 30, 36, and 37 as being dependent on a rejected base claim. Claims 30, 36, and 37 have been amended herein to incorporate the language of independent claim 27, which has been canceled. In light of these amendments, Applicant respectfully requests withdrawal of the objection to claims 30, 36, and 37.

CONCLUSION

Applicant submits that claims 30, 36, and 37 are in condition for allowance, which action is respectfully requested. The Examiner is invited to telephone the undersigned agent if such would further prosecution.

Applicant believes that no fee is due. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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